

**Senate File 115 - Reprinted**

SENATE FILE 115  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 1019)

(As Amended and Passed by the Senate April 1, 2013)

**A BILL FOR**

1 An Act relating to intermediate driver's licenses and special  
2 minor's licenses, making a penalty applicable, and including  
3 effective date provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.180B, subsection 2, Code 2013, is  
2 amended to read as follows:

3 2. *Intermediate license.*

4 a. The department may issue an intermediate driver's license  
5 to a person sixteen or seventeen years of age who possesses an  
6 instruction permit issued under subsection 1 or a comparable  
7 instruction permit issued by another state for a minimum of  
8 ~~six~~ twelve months immediately preceding application, and  
9 who presents an affidavit signed by a parent, guardian, or  
10 custodian on a form to be provided by the department that the  
11 permittee has accumulated a total of twenty hours of street  
12 or highway driving of which two hours were conducted after  
13 sunset and before sunrise and the street or highway driving was  
14 with the permittee's parent, guardian, custodian, instructor,  
15 a person certified by the department, or a person at least  
16 twenty-five years of age who had written permission from a  
17 parent, guardian, or custodian to accompany the permittee, and  
18 whose driving privileges have not been suspended, revoked,  
19 or barred under this chapter or chapter 321J during, and who  
20 has been accident and violation free continuously for, the  
21 six-month period immediately preceding the application for an  
22 intermediate license. An applicant for an intermediate license  
23 must meet the requirements of section 321.186, including  
24 satisfactory completion of driver education as required in  
25 section 321.178, and payment of the required license fee before  
26 an intermediate license will be issued. A person issued an  
27 intermediate license must limit the number of passengers in  
28 the motor vehicle when the intermediate licensee is operating  
29 the motor vehicle to the number of passenger safety belts. In  
30 addition, unless waived by the person's parent or guardian at  
31 the time the intermediate license is issued, for the first  
32 six months following issuance of the license, a person issued  
33 an intermediate license must limit the number of unrelated  
34 minor passengers in the motor vehicle when the intermediate  
35 licensee is operating the motor vehicle to one, except when

1 the intermediate licensee is accompanied in accordance with  
 2 subsection 1. For purposes of this subsection, "unrelated  
 3 minor passenger" means a passenger who is under eighteen years  
 4 of age and who is not a sibling of the driver, a stepsibling  
 5 of the driver, or a child who resides in the same household  
 6 as the driver. The department shall prescribe the form  
 7 for waiver of the six-month restriction on unrelated minor  
 8 passengers, which may be in an electronic format, and shall  
 9 designate characteristics for the intermediate license that  
 10 shall distinguish between an intermediate license that includes  
 11 the six-month restriction on unrelated minor passengers and  
 12 an intermediate license that does not include the six-month  
 13 restriction on unrelated minor passengers.

14 *b.* Except as otherwise provided, a person issued an  
 15 intermediate license under this subsection who is operating a  
 16 motor vehicle between the hours of 12:30 a.m. and 5:00 a.m.  
 17 must be accompanied by a person issued a driver's license  
 18 valid for the vehicle operated who is the parent, guardian, or  
 19 custodian of the ~~permittee~~ intermediate licensee, a member of  
 20 the ~~permittee's~~ intermediate licensee's immediate family if the  
 21 family member is at least twenty-one years of age, an approved  
 22 driver education instructor, a prospective driver education  
 23 instructor who is enrolled in a practitioner preparation  
 24 program with a safety education program approved by the state  
 25 board of education, or a person at least twenty-five years of  
 26 age if written permission is granted by the parent, guardian,  
 27 or custodian, and who is actually occupying a seat beside the  
 28 driver. However, a licensee may operate a vehicle to and from  
 29 school-related extracurricular activities and work without an  
 30 accompanying driver between the hours of 12:30 a.m. and 5:00  
 31 a.m. if ~~such~~ the licensee possesses a waiver on a form to be  
 32 provided by the department. An accompanying driver is not  
 33 required between the hours of 5:00 a.m. and 12:30 a.m.

34 Sec. 2. Section 321.194, subsection 1, Code 2013, is amended  
 35 by adding the following new paragraph:

1     NEW PARAGRAPH.   *Ob.* Unless accompanied in accordance with  
2 section 321.180B, subsection 1, a person issued a driver's  
3 license pursuant to this section must limit the number of  
4 unrelated minor passengers in the motor vehicle when the  
5 licensee is operating the motor vehicle to one. For purposes  
6 of this section, "*unrelated minor passenger*" means a passenger  
7 who is under eighteen years of age and who is not a sibling of  
8 the driver, a stepsibling of the driver, or a child who resides  
9 in the same household as the driver.

10    Sec. 3. EFFECTIVE DATE. This Act takes effect January 1,  
11 2014.